

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN CINDY YOUNKIN**, on February 14, 2003
at 3:18 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Cindy Younkin, Chairman (R)
Rep. Gail Gutsche, Vice Chairman (D)
Rep. Jim Peterson, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Kim Gillan (D)
Rep. Christopher Harris (D)
Rep. Carol Lambert (R)
Rep. Michael Lange (R)
Rep. Rick Maedje (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

Committee Business Summary:

Hearing & Date Posted: HB 505, 2/5/2003; HB 467, 2/5/2003

Executive Action: HB 380, FAILED BY TIE VOTE

HEARING ON HB 505

Opening Statement by Sponsor:

01:00 REP. GALLUS, HD 35, Short Title: Ponds not
nonconsumptive use of water

EXHIBIT (nah33a01)

EXHIBIT (nah33a02)

EXHIBIT (nah33a03)

EXHIBIT (nah33a04)

Proponents' Testimony:

08:00 John Wilson, Montana Trout Unlimited

14:00 Robin Cunningham, Fishing Outfitters Association of
Montana

17:00 Janet Ellis, Montana Audubon

17:00 Robert Throssell, Montana Wildlife Federation

18:00 Holly Franz, Pacific Power and Light Montana

22:00 Mike Murphy, Montana Water Resources Association

Opponents' Testimony:

23:00 David Schmidt, Water Rights Solutions, Inc.

Informational Testimony:

25:00 Larry Peterman, Department of Fish, Wildlife and Parks

27:00 Jack Stults, Department of Natural Resources

Questions from Committee Members and Responses:

37:00

Closing by Sponsor:

49:00

HEARING ON HB 467

Opening Statement by Sponsor:

52:00 REP. BARRETT, HD 34, Short Title: Clarify process for
designating outstanding resource waters

EXHIBIT (nah33a05)

EXHIBIT (nah33a06)

Proponents' Testimony:

57:00 Michael Kakuk, Western Environmental Trade Association

1:07:00 Peggy Trenk, Montana Association of Realtors

EXHIBIT (nah33a07)

1:10:00 John Youngberg, Montana Farm Bureau
1:11:00 Mike Murphy, Montana Water Resources Association
1:12:00 Dennis Iverson, Montana Contractors Association
1:12:00 Cory Swanson, Plum Creek Timber Company
1:13:00 Curt Chisholm, Montana Building Industry Association
1:13:00 Don Allen, Western Montana Trade Association

Opponents' Testimony:

1:14:00 John Wilson, Montana Trout Unlimited
1:20:00 Robin Cunningham, Fishing Outfitters Association of
Montana
1:22:00 Stu Levit, American Wildlands
EXHIBIT (nah33a08)
EXHIBIT (nah33a09)
EXHIBIT (nah33a10)
EXHIBIT (nah33a11)
1:35:00 Janet Ellis, Montana Audubon Society
1:36:00 Don Judge, Sierra Club

Informational Testimony:

1:38:00 Jan Sensibaugh, Department of Environmental Quality

Questions from Committee Members and Responses:

1:39:00

Closing by Sponsor:

2:02:00

EXECUTIVE ACTION ON HB 380

Motion: REP. NEWMAN moved that HB 380 DO PASS.

Motion/Vote: REP. YOUNKIN moved that HB 380 BE AMENDED
(HB038002.alm). Motion carried unanimously by voice vote.
EXHIBIT (nah33a12)

Motion: REP. NEWMAN moved that HB 380 DO PASS AS AMENDED.

Motion/Vote: REP. NEWMAN moved that HB 380 BE AMENDED
(HB038003.alm). Motion carried unanimously by voice vote.
EXHIBIT (nah33a13)

Motion: REP. NEWMAN moved that HB 380 DO PASS AS AMENDED.

Motion: REP. YOUNKIN moved that HB 380 BE AMENDED
(HB038005.alm).
EXHIBIT (nah33a14)

Discussion:

02:15:00

EXHIBIT (nah33a15)

Vote: Motion carried 16-2 with REPS. GILLAN and SMALL-EASTMAN voting no by roll call vote.

Discussion:

02:15:00

Motion/Vote: REP. BARRETT moved HB 380 BE TABLED. Motion failed 9-9 with REPS. BARRETT, EVERETT, GILLAN, LAMBERT, LANGE, MAEDJE, MALCOLM, PETERSON, and ROSS voting aye by roll call vote.

Motion/Vote: REP. NEWMAN moved that HB 380 DO PASS AS AMENDED. Motion failed 9-9 with REPS. CYR, DICKENSON, ERICKSON, GUTSCHE, HARRIS, NEWMAN, SALES, SMALL-EASTMAN, and YOUNKIN voting aye by roll call vote.

ADJOURNMENT

Adjournment: 6:13 P.M.

REP. CINDY YOUNKIN, Chairman

KATHLEEN ELY, Secretary

CY/KE

EXHIBIT (nah33aad)